

UTILITY PATENT APPLICATION TRANSMITTALAttorney Docket No. **8012-1164-1**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

To the Assistant Commissioner of Patents

Transmitted herewith for filing is the patent application of:

Inventors: **Satoshi OMURA, Hiroshi TOMODA, Yoko TAKAHASHI, Yutaka EBIZUKA and Masaaki SHIBUYA**

This application is a ☐ continuation ☒ division ☐ continuation-in-part of co-pending Application No. **10/359,145**, filed on **February 6, 2003**, the entire contents of which are hereby incorporated by reference.

Title: **NOVEL K99-5041 SUBSTANCE AND PRODUCTION THEREOF**

Enclosed are:

22 Pages of Specification containing **6** claims**8** Sheets of formal Drawings ☒ Abstract of the Disclosure☐ Submission of English translation of prior provisional application under 37 CFR 1.78(a)(5)☐ Newly executed Oath or Declaration/Power of Attorney☒ Copy of Oath or Declaration/Power of Attorney from a prior application (continuation/divisional)

☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied as indicated in the preceding box, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ Deletion of inventor(s). A signed statement attached deleting inventor(s) named in the prior application (see 37 CFR 1.63 (d)(2) and 1.33(b))

☐ Applicant claims small entity status under 37 C.F.R. § 1.27☒ Application Data Sheet under 37 C.F.R. § 1.76☐ Assignment Papers (cover sheet & document(s))

☒ An assignment to **THE KITASATO INSTITUTE** for parent application no. **10/359,145** was recorded on **June 24, 2003** at Reel **013755**, Frame **0994-0995**

☒ Information Disclosure Statement (IDS) w/PTO-1449 - ☐ Copy of IDS citations

☐ Preliminary Amendment☒ Itemized Return Receipt Postcard☐ Certified Copy of Priority Document(s)

☒ Priority of **Japan** application No. **2002-078019** filed in **Japan** on **March 20, 2002** is claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on **February 6, 2003**.

☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:


i. ☐ CD-ROM or CD-R (2 copies); or ii. ☐ paperc. ☐ Statement verifying identity of above copies☐ Other Attachment: _____

UTILITY PATENT APPLICATION TRANSMITTAL (continued)	Attorney Docket No. 8012-1164-1
If a CONTINUING APPLICATION, check appropriate box, and supply requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part of Prior Appln. # 10/359,145 Prior Application Information: Examiner: A. Small Tech Center: 1626	
<input checked="" type="checkbox"/> --This application is a division of co-pending Application No. 10/359,145, filed on February 6, 2003, the entire contents of which are hereby incorporated by reference.-- <input type="checkbox"/> --This application is a division of co-pending Application No. 10/359,145, filed on February 6, 2003. Application No. 10/359,145 is the national phase of PCT International Application No. PCT/_____/_____ filed on _____ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference.--	
CORRESPONDENCE INFORMATION	
Customer Number: 00466 PATENT TRADEMARK OFFICE	
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The filing fee has been calculated as follows:

FOR	NUMBER FILED	NUMBER EXTRA	SMALL ENTITY		LARGE ENTITY	
			RATE	FEE	RATE	FEE
BASIC FEE				\$385.00		\$770.00
TOTAL CLAIMS	6 - 20 =		\$9.00	\$	\$18.00	\$
INDEPENDENT CLAIMS	4 - 3 =	1	\$43.00	\$	\$86.00	<u>\$86.00</u>
MULTIPLE DEPENDENT CLAIM FEE			\$145.00	\$	\$290.00	\$
TOTAL SMALL ENTITY				\$		
			TOTAL LARGE ENTITY			<u>\$856.00</u>

- ☒ A Check in the amount of **856.00** to cover all fees is attached.
- ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit account No. 25-0120 in the name of Young & Thompson, as described below. A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17.


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BC/maf
 Date: **February 10, 2004**